

bounded by county lines, but no changes in the number or boundaries of districts shall work a removal of any judge from office during the term for which he has been elected or appointed.

Sec. 34. Writs of error and appeal shall be allowed from the decisions of the said district courts to the supreme courts under such regulations as may be prescribed by law.

Sec. 35. No person shall be eligible to the office of judge of the district court unless he be at least twenty-five years of age and a citizen of the United States, and shall have resided in the State or in the supreme court of the Territory of State of Montana, nor unless he shall have resided in this State or Territory at least one year next preceding his election; he shall be elected by the people of the district for which he is elected at the time of his election, but after his election he shall reside in the district for which he is elected during his term of office.

Sec. 36. The term of office of each county court which is a judicial district by itself, shall be always open for the transaction of business, except on legal holidays and non-judicial days. In each district where there is more than one county, the judges of such district shall fix the term of court, provided that there shall be at least four terms a year held in each county.

Sec. 37. There shall be a clerk of the district court in each county, who shall be elected by the electors of his county. The clerk shall be elected at the same time and for the same term as the district judge. The duties and compensation of the said clerk shall be as provided by law.

#### COUNTY ATTORNEYS.

Sec. 38. There shall be elected at the general election, in each county, whose qualifications shall be the same as required for a judge of the district court, except that he must be over twenty-one years of age, but need not be over twenty-five years of age, and whose term of office shall be two years, except that the county attorney first elected shall hold his offices until the general election in the year one thousand eight hundred ninety-two, to qualify him to be a member of the legislature.

Sec. 39. No elector shall be obliged to perform military duty on the days of election, except in time of war or public danger.

No soldier, seaman or marine in the army or navy of the United States shall be deemed a resident of this State, in consequence of being stationed at any military or naval place within the same. Sec. 40. No person shall be elected or appointed to any office in the State, civil or military, who is not a citizen of the United States, and who shall not have resided in this State at least one year previous to his election or appointment.

No idiot or insane person shall be entitled to vote at any election in this State.

Sec. 41. The legislative assembly shall be entitled to power to pass a registration and taxation law, and to make necessary to secure the purity of elections and guard against abuses of the elective franchise.

Sec. 42. Women shall be eligible to hold office as county superintendent of schools or as school district office and shall have the right to vote at any school district election.

#### ARTICLE XI.

##### REVENUE AND TAXATION.

SECTION 1. The necessary revenue for the support and maintenance of the State shall be levied by the legislative assembly, which shall levy a uniform rate of assessment upon all property, and shall prescribe such regulations as may be prescribed by the legislative assembly for city offices and offices hereafter created.

Sec. 12. Upon all questions submitted to the vote of the tax payers of the State, or any political division thereof, women shall be entitled to vote, and possessed of the qualifications for the exercise of suffrage, equal with men, have the right to vote.

Sec. 13. In all elections held by the people under this constitution, the person or persons who shall receive the highest number of legal votes, shall be entitled to vote at any election in this State.

Sec. 14. Women shall be entitled to vote at general elections and for State officers that they shall be entitled to vote in their home townships as otherwise provided in this constitution, for the term of two years.

Justices of the peace shall have original jurisdiction within their respective districts, and may be constituted by law, except as in this constitution otherwise provided; *Provided*, That they shall not have jurisdiction in any case where the debt, claim, or cause of action, or value of the property involved exceeds the sum of three hundred dollars.

Sec. 15. Justices of the peace shall not have jurisdiction in any case involving the trial or right of possession of real property, nor the power of divorce, or of marriage, or of divorce, or of cases in equity, nor shall they have power to issue writs of habeas corpus, mandamus, certiorari, quo warranto, injunction, or prohibition, nor the power of naturalization; and they shall not have jurisdiction in cases of felony, except in examining courts; nor shall criminal cases in said courts be prosecuted by indictment; but said courts shall have the right to try criminal matters, not of the grade of felony, as may be provided by law; and shall also have concurrent jurisdiction with the district courts, in cases of forcible entry and detainer.

Sec. 16. Justices of the peace shall always be open for the transaction of business, except on legal holidays and non-judicial days.

Sec. 17. Appeals shall be allowed from justices courts, in all cases, to the district courts, in such manner and under such regulations as may be prescribed by law.

#### POLICE AND MUNICIPAL COURTS.

Sec. 18. The legislative assembly shall have power to provide for creating such police and municipal courts and magistrates for cities, towns as may be, and other incorporated places which shall have jurisdiction in all cases arising under the ordinances of such cities and towns, respectively; such police magistrates may also be constituted by the justice of the peace for their respective communities.

Sec. 19. The supreme and district courts shall be courts of record.

Sec. 20. All laws relating to courts shall be general and uniform throughout the State; and the organization, jurisdiction, powers, proceedings and practice of all courts of the same class or grade, shall be regulated by law.

Sec. 21. Appeals shall be allowed from justices courts, in all cases, to the district courts, in such manner and under such regulations as may be prescribed by law.

Sec. 22. The supreme and district courts shall be open for the transaction of business, except on legal holidays and non-judicial days.

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